

## **REMARKS**

In response to the above-identified Office Action, Applicants amend the application and seek reconsideration thereof. In this response, Applicants amend Claims 1 and 18. Applicants cancel Claims 2 and 19. Applicants do not add any new claims. Accordingly, Claims 1, 16-18, 20 and 21 are pending.

### **I. Claims Rejected Under 35 U.S.C. §102(e)**

The Examiner rejects Claims 1, 2, 18 and 19 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,180,519 to Kuroi, et al. ("Kuroi").

In order to anticipate a claim, the relied upon reference must disclose every limitation of the claims. Among other limitations, amended independent Claims 1 and 18 both recite a first gate electrode comprising one of a pure metal and a metal alloy. Applicants submit that at least this limitation is not disclosed by Kuroi.

In making the rejection, the Examiner relies on Kuroi to show first and second transistors formed in separate areas of a circuit device and having complementary work functions. The Examiner also indicates that Kuroi discloses a first metal gate electrode made of a doped metal.

Applicants submit that the portions of Kuroi cited by the Examiner fail to disclose a first gate electrode comprising one of a pure metal and a metal alloy, as recited in Applicants' amended independent Claims 1 and 18. Thus, at least this limitation is not disclosed by the cited reference.

Accordingly, Applicants respectfully request withdrawal of the rejection of amended independent Claims 1 and 18. Applicants cancel Claims 2 and 19, and therefore, the rejection as to these claims is moot.

### **II. Claims Rejected Under 35 U.S.C. §103(a)**

The Examiner rejects Claims 16, 17, 20 and 21 under 35 U.S.C. 103(a) as being obvious over Kuroi.

In order to render a claim obvious, the relied upon reference must disclose every limitation of the claim such that the invention as a whole would have been obvious at the time the invention was made to one skilled in the art.

Claims 16, 17, 20 and 21 depend respectively from amended independent Claims 1 and 18 and contain all of the respective limitations thereof. Therefore, the arguments and reasoning set forth above regarding amended independent Claims 1 and 18 apply equally here to Claims 16, 17, 20 and 21. Specifically, Claims 16, 17, 20 and 21 each recite a gate electrode comprising one of a pure metal and a metal alloy. As discussed above, the portions of Kuroi cited by the Examiner fail to teach or suggest a gate electrode comprising one of a pure metal and metal alloy. Therefore, Kuroi fails to teach or suggest at least this limitation of each of the rejected dependent claims.

Accordingly, Applicants respectfully request withdrawal of the rejection of Claims 16, 17, 20 and 21.

### CONCLUSION

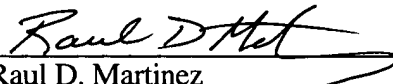
In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Raul D. Martinez  
Reg. No. 46,904

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, California 90025  
(310) 207-3800

#### CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 17, 2003.

  
Lillian E. Rodriguez

11-17-03  
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